

# Notice of Allowability

Application No.

09/827,721

Examiner

Daniel S. Felten

Applicant(s)

NABE ET AL.

Art Unit

3693

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/19/2007.
2. ☒ The allowed claim(s) is/are 1-37 and 48-57.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **DETAILED ACTION**

1. Receipt of the amendment filed March 19, 2007 is acknowledged. Claims 38 and 48-57 were cancelled. Claims 1-37 and 48-57 are pending in the application and are presented to be examined upon their merits.

### ***Allowable Subject Matter***

2. Claims 1-37 and 48-57 are allowed.

3. The following is an examiner's statement of reasons for allowance:

The concept of cross-selling or targeting to existing loan customers, or sending advertisements to existing loan customers is known in the art. For example, Davidson (US 5,699, 527) disclose a method and system for processing a loan where the software interaction would allow the lending institution to track who was borrowing and other types of information against advertising to determine the impact of advertising and to better discover the particular target market of a loan package (see Davidson, column 2, lines 16-26).

Also Atkins (US 5,644,727) discloses a mortgage product that has special advantages to the financial institution in that it establishes an account that assists in cross selling and marketing of other financial services (see Atkins, column 11, lines 3-27)

However, both Davidson and Atkins fails to provide a method for retaining customers who are likely to terminate and existing loan contract at an earlier date or using a early termination model to identify for the lender customer likely to terminate an existing loan contract at a date earlier than the loan termination date identified in the loan contract.

In further review of the art, the closest prior art found of record was Galperin et al (US 6,185, 543). Galperin discloses a method of electronically capturing a loan application for review and analysis to score potential prepayment behavior of a candidate borrower (see Galperin, column 3, lines 10-27). The lender uses the prepayment score to calculate appropriate mortgage prices, interest rates, fees, broker commissions and potential customer rewards. The method allows the lender to determine a potential borrower's propensity for prepayment so as to determine the mortgage rates at which the lender will still make a profit on the mortgage. Therefore Galperin discloses that, by using the scoring technique, the lender can find contracts with borrowers who have a low propensity to prepay (see Galperin, column 3, lines 24-27).

Thus Galperin fails or does not disclose or suggest that the lender identifies, based upon customer's payment history, existing customers of the lender who are likely to early terminate an existing loan contract and to provide a list of existing customers to the lender that are likely to prepay their existing loan and that the lender would like to retain as a customer.

Galperin also fails to notify customers who are likely to prepay an existing loan contract of new products and new loan opportunities. Thus claims 1-16 are allowed over the prior art

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 3693

*Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patents:

Atkins (US 5, 875,437) discloses a system for the operation and management of one or more financial accounts through the use of digital communication and computation system for exchange of data and borrowing.

Davidson (US 5,699,527) discloses a method and system for processing a loan

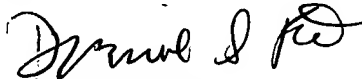
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel S. Felten whose telephone number is (571) 272-6742.

The examiner can normally be reached on Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on (571) 272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3693

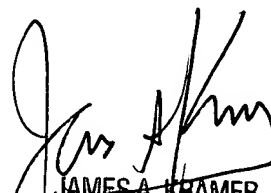
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Daniel S Felten  
Examiner  
Art Unit 3693

DSF

06/06/2007



JAMES A. KRAMER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

6/8/07